

ESTATE OF SAMUEL MILLS DAMON

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PH: (808) 536-3717
FAX: (808) 536-3729

FAX TRANSMITTAL

DATE: 10/09/01

TO:

| NAME/FIRM | FAX NO. | PHONE NO. |
|--|----------------|----------------|
| Thanne Cox Assistant Regional Counsel EPA Region IV | (415) 744-1041 | (415) 744-1351 |
| cc: Lisa Hanusiak Investigator EPA Region IV | (415) 744-1917 | (415) 744-2213 |

FROM Kris M. Shimabukuro for: PHONE: (808) 536-3717
Timothy E. Johns

Number of Sheets Including This Cover: 2

Re: **AOC DOCUMENTS**
842 A Mapunapuna Street, Honolulu, Hawaii 96819
Hawaii Stage & Lighting/Funtastic Party Rentals
(formerly Vermiculite of Hawaii)

Per Mr. Johns instructions, the following will confirm our mutual understanding regarding the handling of the AOC documents:

- 1) The following is a signature page executed by the Estate as of 10/09/01 for your files.
- 2) One (1) original AOC document together with Two (2) original signature pages executed by the Estate have been mailed to you on this date.
- 3) Please execute the signature pages and mail One (1) fully executed original signature page to this office for our files.

Thank you for your cooperation in advance.

The undersigned representative of Respondent certifies that it is fully authorized to enter into the terms and conditions of this Order and to bind the party it represents to this document.

Agreed this 9th day of October, 2001.

By Tuesday E. Johns

Title Chief Operating officer

It is so ORDERED and Agreed this _____ day of _____, 2001.

BY: _____

Daniel Meer
Branch Chief, Superfund Division
Region IX
U.S. Environmental Protection Agency

EFFECTIVE DATE: _____

FAX TRANSMITTAL

6/25/02
of pages 1

| | |
|---------------------------------|---|
| To <i>Mike Ardito</i> | From <i>Vicki T</i> |
| Dept./Agency <i>972-3081</i> | Phone # <i>541-2721</i> |
| Fax # <i>947-3518</i> | Fax # <i>541-2712</i> |
| NSN 7540-01-917-7368 | 5009-101 GENERAL SERVICES ADMINISTRATION |

HONOLULU STAR-BULLETIN / SATURDAY, JUNE 22, 2002

Hawaii warned of asbestos in homes

A Montana mine sent potentially dangerous vermiculite to Hawaii

By Helen Altona
haltonn@starbulletin.com

The U.S. Environmental Protection Agency cautioned consumers who suspect they have asbestos-contaminated vermiculite insulation in their homes not to disturb it.

Hawaii has been identified among states receiving vermiculite from Libby, Mont., where it has been linked to 200 deaths and 750 illnesses.

Federal health officials are trying to determine if ore mined in that area and shipped across the country may have spread potentially fatal asbestos.

Lung cancer and fatal asbestos poisoning rates in Libby are 40 to 60 times higher than

would be expected, the Associated Press reported.

The high rates have been blamed on asbestos contamination, caused by breathing in the dust from the vermiculite. W.R. Grace & Co. closed the mine in 1991 after 67 years of operation and is now in bankruptcy.

"We are very concerned about the other sites that have received asbestos-contaminated vermiculite," said Henry Falk, assistant administrator of the Agency for Toxic Substances and Disease Registry in the U.S. Health and Human Services Department.

The EPA identified 240 sites in 40 states where vermiculite was shipped from Libby but said it hasn't found asbestos poisoning at those sites similar to what occurred at Libby.

Vicki H. Tshako, manager of the EPA-Pacific Islands Office, was trying yesterday to learn more about the situation in

Hawaii. Meanwhile, she referred inquiries to the EPA Web site.

The public health crisis at the Montana ore-mining town caused concern about the problem spreading to other towns where vermiculite was shipped to be processed in soil conditioner and home insulation.

At least 22 sites require some kind of EPA-overseen cleanup, Marianne Horinko, assistant administrator of the EPA's Solid Waste and Emergency Response Office, told the Senate Superfund subcommittee Thursday.

They are in New Jersey, New York, Maryland, Pennsylvania, Massachusetts, Kentucky, Minnesota, Colorado, North Dakota, Arizona, California, Hawaii, Oregon and Washington.

Horinko told the Senate committee, "We have not found a pattern of asbestos contamination that in any way approaches

what we've seen at Libby." However, Sen. Patty Murray, D-Wash., questioned why the sites aren't already designated for Superfund status, as was Libby.

If disturbed, fibers can be inhaled and trapped in the lungs where they may cause diseases developing many years after exposure. Left alone, the particles won't become airborne.

If the material must be removed or disturbed because of renovations, consult an accredited asbestos contractor for tests, information and advice, the EPA advises.

More information on asbestos and health-related information may be obtained on EPA's TSCA Hotline, 1-202-554-1404, or from the EPA asbestos Web site: www.epa.gov/asbestos

*The Associated Press
contributed to this report.*

PRACTICE MAKES PERFECT

ESTATE OF SAMUEL MILLS DAMON

February 14, 2002

ORIGINAL W/ ENCLOSURE VIA FED EX 7917 7776 9782

Mr. Bob Mandel (OSC)
U.S. Environmental Protection Agency, Region 9 ("EPA")
Mail Code SFD-6
75 Hawthorne Street
San Francisco, CA 94105

Dear Mr. Mandel:

Re: Final Report Required by the Administrative Order on Consent ("AOC")
for Removal Action Agreed to by the Estate of Samuel Mills
Damon ("Estate") Effective October 31, 2001
Matter of Hawaii Stage & Lighting Site, Honolulu, HI
U.S. EPA Region 9, CERCLA, Docket No. 2002-01

Enclosed for your review and consideration is a copy of the Final Report required by the AOC prepared by Masa Fujioka & Associates entitled "Asbestos Remediation Actions" dated 01/30/02. We believe that all of the removal actions required by the AOC have been performed and completed and would like to request that the EPA issue a "Notice of Completion" for this site.

Please advise us if there are any response costs incurred by the EPA that should be reimbursed by the Estate as provided for under the terms of the AOC.

Once again, we are very appreciative of the professionalism and courtesy extended by yourself and other contacts at the EPA over the last several months. Please do not hesitate to contact me at (808) 536-3717 if you have any questions.

Very truly yours,

ESTATE OF SAMUEL MILLS DAMON



Kris M. Shimabukuro
Assistant Operating Officer

Enclosure: MFA Asbestos Remediation Actions report dtd. 01/30/02

cc: Bret Moxley
Bill Murray (Cover Letter only via facsimile 808 484-0007)